

KEVIN V. RYAN, United States Attorney (SBN 118321)  
JAMES CODA, Assistant U.S. Attorney (SBN 1012669 (WI))  
U.S. Department of Justice  
United States Attorney, Northern District of California  
450 Golden Gate Ave., Box 36055  
San Francisco, CA 94102

SUE ELLEN WOOLDRIDGE, Assistant Attorney General  
JEAN E. WILLIAMS, Section Chief  
LISA L. RUSSELL, Assistant Section Chief  
KEVIN W. McARDLE, Trial Attorney (D.C. Bar No. 454569)  
U.S. Department of Justice  
Environment & Natural Resources Division  
Wildlife & Marine Resources Section  
Ben Franklin Station, P.O. Box 7369  
Washington, D.C. 20044-7369  
Tel: 202-305-0219  
Fax: 202-305-0275

*Attorneys for Federal Defendants*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY, )  
*et al.*, )  
Plaintiffs, )  
v. )  
BUREAU OF LAND MANAGEMENT, *et al.*, )  
Defendants, )  
Case No: CV 03-2509-SI  
**STIPULATION AND  
[PROPOSED] ORDER**

STIPULATION AND [PROPOSED] ORDER  
Case No. CV 03-2509-SI

1        WHEREAS on March 14, 2006, the Court issued an Opinion and Order ("Order")  
2 resolving the parties' cross-motions for summary judgment and directing the parties to file  
3 simultaneous briefs on the appropriate form of relief within 14 days and response briefs within  
4 21 days;

5        WHEREAS pursuant to the Court's Order, the parties' initial briefs were originally due  
6 on March 28, 2006;

7        WHEREAS by Order dated March 23, 2006, the Court approved the parties' stipulation  
8 to extend the due date for their initial briefs by 30 days, to and including April 27, 2006, with a  
9 corresponding extension of the due date for their response briefs to and including May 4, 2006;

10       WHEREAS the parties have conferred and believe that the current due date for their  
11 initial briefs should be extended by an additional 45 days, to and including June 12, 2006, with a  
12 corresponding extension of the due date for their response briefs to and including June 26, 2006,  
13 because the parties are continuing to discuss the possibility of reaching an agreement on the  
14 appropriate form of relief, which would obviate the need for further briefing and conserve  
15 judicial resources; and

16       WHEREAS as demonstrated above, good cause exists for the proposed extension;

17       THEREFORE, PURSUANT TO LOCAL RULE 6-2, THE PARTIES HEREBY  
18 STIPULATE THAT:

19       The parties shall file simultaneous briefs regarding the appropriate form of relief  
20 on or before June 12, 2006, and the parties' response briefs shall be filed on or  
21 before June 26, 2006

1 Respectfully submitted this 20th day of April, 2006

2       */s/ Lisa T. Belenky (with permission  
3       by Kevin W. McArdle)*

4       Lisa T. Belenky (CA Bar No. 203225)  
5       CENTER FOR BIOLOGICAL DIVERSITY  
6       1095 Market Street, Suite 511  
7       San Francisco, CA 94103  
8       Tele: (415) 436-9682, x307  
9       *lbelenky@biologicaldiversity.org*

10     Brendan R. Cummings (CA Bar No. 193952)  
11     CENTER FOR BIOLOGICAL DIVERSITY  
12     P.O. Box 549  
13     Joshua Tree, CA 92252  
14     Tele: (760) 366-2232  
15     Fax: (760) 366-2369  
16     *bcummings@biologicaldiversity.org*

17     Attorneys for Plaintiffs

18     KEVIN V. RYAN  
19     United States Attorney

20     JAMES A. CODA  
21     Assistant United States Attorney

22     SUE ELLEN WOOLDRIDGE  
23     Assistant Attorney General

24     */s/ Kevin W. McArdle*  
25     KEVIN W. McARDLE, Trial Attorney  
26     DC Bar # 454569  
27     United States Department of Justice  
28     Environment & Natural Resources Division  
29     Wildlife and Marine Resources Section  
30     Benjamin Franklin Station, P.O. Box 7369  
31     Washington, D.C. 20044-7369  
32     Telephone: (202) 305-0219  
33     Facsimile: (202) 305-0275  
34     *kevin.mcardle@usdoj.gov*

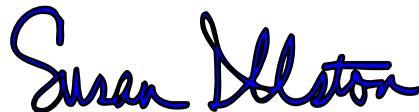
35     Attorneys for Federal Defendants

36     */s/ David P. Hubbard (with permission  
37     by Kevin W. McArdle)*  
38     DAVID P. HUBBARD, ESQ.  
39     California Bar No. 148660  
40     LOUNSBERRY FERGUSON ALTONA &  
41     PEAK, LLP  
42     960 Canterbury Place, Suite 300  
43     Escondido, California 92025-2552  
44     Tele: (760) 741-1201  
45     fax: (760) 741-9926

46     Attorneys for Defendant-Intervenors

47     Pursuant to Stipulation, **IT IS SO ORDERED.**

48     DATED: \_\_\_\_\_



49     \_\_\_\_\_  
50     HONORABLE SUSAN ILLSTON  
51     UNITED STATES DISTRICT JUDGE